



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 8, MONTANA OFFICE  
FEDERAL BUILDING, 10 West 15<sup>th</sup> St, Suite 3200  
HELENA, MONTANA 59626**

Ref: 8MO

March 2, 2012

Beaverhead-Deerlodge National Forest  
Attn: Brent Lignell  
1820 Meadowlark Lane  
Butte, Montana 59701

Re: CEQ #20120014; EPA Comments on Revised East Deer  
Lodge Valley Landscape Restoration Management DEIS

Dear Mr Lignell:

The U.S. Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Revised Draft Environmental Impact Statement (RDEIS) for the Beaverhead-Deerlodge National Forest's East Deer Lodge Valley Landscape Restoration Management Project in accordance with EPA responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act, and the Council on Environmental Quality (CEQ) regulations, 40 CFR Parts 1500-1508. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major Federal agency action. EPA's comments include a rating of both the environmental impact of the proposed action and the adequacy of the NEPA document.

The EPA appreciates receipt of responses to agency DEIS comments and other public and agency comments provided in Appendix C of the RDEIS. A new preferred alternative, Alternative 3, was developed and introduced in the RDEIS in response to public comments supporting more timber harvest to address the mountain pine beetle epidemic and additional analyses by the Forest. Alternative 3 involves commercial timber salvage with clearcut and/or commercial thinning in 57 timber units totaling 2,705 acres; vegetation and aquatic treatments in 19 restoration units totaling 8,768 acres; and additional vegetation, aquatic, and recreation activities throughout the project area in areas not specifically tied to timber or restoration units.

Alternative 3 includes 305 acres more timber harvest than the prior preferred alternative in the earlier DEIS (Alternative 2), but also includes additional aquatic/riparian restoration activities (e.g., 4 additional off-stream water developments for a total of 7 such off-stream water developments to reduce riparian impacts from livestock; 5 additional culvert replacements for a total of 12 culvert replacements to improve fish passage and reduce risk of culvert blowout; reduction in proposed new roads by 7.2 miles for a total of only 1.2 miles of new road; 2 miles of additional road closure/decommissioning for a total of 21.9 miles of road closure/decommissioning; and 1.2 miles of additional closure & decommissioning of motorized trails for a total of 4.9 miles of such trail closures/decommissioning).

We are pleased that the revised analysis of sediment delivery to streams predicts a 50% reduction in road sediment delivery to streams in the Peterson Creek subwatershed ((listed by the State of Montana

as water quality impaired under Section 303(d) of the Clean Water Act). We are also pleased that actions to address sediment production and transport to Peterson Creek will be required in the Stewardship Contract and given funding priority. Although the RDEIS also indicates that the additional timber volume harvested with Alternative 3 may not increase the number of stewardship projects that can be implemented (e.g., road improvements). Accordingly, while we are pleased that restoration projects have been prioritized and will be required in the 303(d) listed Peterson Creek drainage, we are also concerned that other restoration actions to address water quality problems do not have assured funding ( i.e., they can only be carried out as KV funds, grants, partnerships, and appropriated funding becomes available).

Table 13 comparing effects of alternatives shows that Alternative 3 would reduce overall short-term and long-term sediment loads from roads by 1,668 and 1,838 lbs/year respectively, in comparison to Alternative 2; and also shows that overall long-term sediment loads from roads would decrease by 4,024 lb/year in comparison to the no action alternative over the long term. Table 13 also shows that sediment loads would increase by 6,307 lbs/year in comparison to no action over the short-term.

Major decreases in sediment loads from roads results from road maintenance along Jack Creek; removal of FR 19870; replacement of two road stream crossings along Dieders Fork; and removal of the UR8-75 road). Also a significant portion of Dry Cottonwood Creek Road (FR 85) that runs along Dry Cottonwood Creek would not be used as a haul route under Alternative 3 to reduce sediment delivery to Dry Cottonwood Creek, with log haul instead occurring on FR 9455. It is also stated that additional road closures, culvert removals, obliterations, and route re-designations will be considered in the future.

We appreciate the additional information provided in the RDEIS regarding aquatics monitoring (e.g., USFS has monitoring sites on Orofino, North Fork Dry Cottonwood, Dieders Fork Peterson, and Dry Cottonwood Creeks that are monitored once every five years; and has four PACFISH/INFISH Biological Opinion (PIBO) monitoring sites within the project area, Cottonwood Creek, North Fork Dry Cottonwood Creek, Orofino Creek, and Perkins Gulch, that are also monitored on a five year interval).

The RDEIS indicates that while Alternative 3 adds harvest in some areas it also reduces harvest in other areas due to resource concerns identified during further on-the-ground analysis (e.g., areas known to have old growth characteristics have been excluded, as well as areas with steep slopes, access, or soils concerns). We are pleased that the updated analysis indicates that all harvest units would meet Region 1 Soil Quality Standards in terms of erosion (typically less than 1-2 tons/ac/yr), and the revised assessment of sediment delivery estimates that sediment delivery from timber harvest units to streams, including Peterson Creek, will be negligible. We continue to recommend, however, that less damaging timber harvesting methods (such as logging during winter on snow or frozen ground or cable logging) in timber units that have greater potential to deliver sediment to streams be considered (e.g., units 24 T and 29T).

Additional tree felling in riparian areas is also proposed with Alternative 3. The RDEIS identifies riparian tree felling among the proposed “restoration actions.” We often have concerns about timber harvest within riparian areas due to potential adverse effects to riparian and aquatic habitat and functioning and stream water quality and stability (e.g., potential for increased sediment transport to streams, reduction in vegetative buffer filtering of sediment, loss of stream shading, loss of woody debris recruitment for streams, impacts to streambank stability, etc.). The RDEIS indicates that riparian tree felling is for the purpose of removing dead and dying lodgepole pine and using felled trees to create

barriers to reduce livestock accessibility and riparian and stream bank trampling impacts. We also recognize that in site-specific situations harvest/removal of conifers that encroach on riparian areas may open up such areas to allow growth of dense woody shrub vegetation in riparian areas that improve riparian habitat and functioning and stream stability and water quality. However, we did not see much discussion of riparian harvest trade-offs and the overall effects of additional riparian stream harvests in the RDEIS.

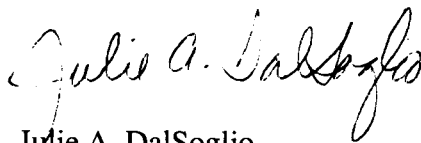
It would be helpful if the FEIS further discussed all the potential impacts of proposed riparian tree felling to verify that overall benefits of riparian harvests outweigh potential adverse effects, and that additional riparian tree felling would not adversely affect riparian habitat and functioning and/or stream water quality or aquatic habitat (i.e., discuss woody debris recruitment, stream shading, sediment production/transport, vegetative filtering of sediment, vegetative bank stabilization).

Finally we note that new Alternative 3 excludes vegetative treatments in units that contain old growth. We support protection of old growth habitat, since old growth habitat is ecologically diverse and provides good breeding and feeding habitat for many bird and animal species, and much old growth habitat and native, late-seral overstory trees have already been lost. Although while we support efforts to avoid continued loss of old growth habitat, it may be relevant to note that we do not oppose thinning from below treatments and/or prescribed burning in old growth stands for the purpose of reducing fire risk and providing longer-term wildfire protection while protecting and maintaining old growth habitat characteristics. Careful prescribed burning in old growth stands can reduce fuel loads and fire risks, and thus, may promote long-term protection and sustainability of old growth stands.

Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the RDEIS has been rated as Category EC-2 (Environmental Concerns - Insufficient Information). A copy of EPA's rating criteria is attached. The EPA is supportive of the project purpose and need to address forest restoration needs affected by an ongoing mountain pine beetle epidemic, and we are pleased that additional aquatic restoration activities are included in Alternative 3. However, there is still some concern regarding short-term adverse effects of proposed actions, and adequacy of funding to carry out all proposed restoration activities, and we believe additional analysis and disclosure regarding potential impacts of riparian tree felling should be provided.

The EPA appreciates the opportunity to review and comment on the RDEIS. If we may provide further explanation of our comments please contact Mr. Steve Potts of my staff in Missoula at 406-329-3313 or in Helena at 406-457-5022 or via e-mail at [potts.stephen@epa.gov](mailto:potts.stephen@epa.gov). Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, reading "Julie A. DalSoglio".

Julie A. DalSoglio  
Director  
Montana Office

Enclosure

cc: Suzanne Bohan/Judy Roos, EPA 8EPR-N, Denver  
Robert Ray/Laura Andersen, MDEQ, Helena

# **U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements**

## **Definitions and Follow-Up Action\***

### **Environmental Impact of the Action**

**LO - - Lack of Objections:** The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC - - Environmental Concerns:** The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO - - Environmental Objections:** The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU - - Environmentally Unsatisfactory:** The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### **Adequacy of the Impact Statement**

**Category 1 - - Adequate:** EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 - - Insufficient Information:** The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 - - Inadequate:** EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

